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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,869

Applicant(s)

AHMAD-TAYLOR, TY O.

Examiner

ALAZAR TILAHUN

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 5-16, 39-47 and 51-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-16, 39-47 and 51-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/28/2010 has been entered.

Status of Claims

2. Claims 1, 3, 5-6, 13-14, 16, 39-42 and 46 were previously amended. Claims 2, 4, 17-38 and 48-50 were previously canceled. Claims 43, 44 and 46 have been amended. Claims 51-54 are new claims. Claims 1, 3, 5-16, 39-47 and 51-54 are pending in the Application.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 3, 5-16, 39-47 and 51-54 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 01/28/2010 have been fully considered but they are not persuasive. On page 8 of Applicant's Remarks/Argument, Applicant argues independent claim 42, recites similar features of those of independent claim 1. The Examiner respectfully disagrees. Independent claim 1, recites additional feature that is not required in claim 42, that is "displaying additional windows in the substantially small portion of the display screen that include textual and graphical indicia ..." for this reason

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the Examiner maintained the rejection of independent claim 42, as well as the new independent claim 51 because the features of these claims are given a broader interpretation and disclosed by Roth (of record).

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 42-45 and 51-54 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by a process, machines, manufactures and composition of matter asserted utility or a well established utility.

Claims 42-45 and 51-54 recite “a computer readable medium...” Claims 42-45 and 51-54 don’t define a computer readable medium a memory/disk. The broadest reasonable interpretation of a claim drawn to a computer readable medium (also called machine readable medium and other such variations) typically covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable media, particularly when the specification is silent. *See* MPEP 2111.01. When the broadest reasonable interpretation of a claim covers a signal *per se*, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter.

The USPTO suggests the following approach. A claim drawn to such a computer readable medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only statutory embodiments to avoid a rejection under 35 U.S.C. § 101 by adding the limitation “non-transitory” to the claim. *Cf.*

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Animals – Patentability, 1077 *Off. Gaz. Pat. Office* 24 (April 21, 1987) (suggesting that applicants add the limitation “non-human” to a claim covering a multi-cellular organism to avoid a rejection under 35 U.S.C. § 101). Such an amendment would typically not raise the issue of new matter, even when the specification is silent because the broadest reasonable interpretation relies on the ordinary and customary meaning that includes signals *per se*.

See David. Kappos memo dated 01/26/2010.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 42, 43, 45, 51, 52 and 54 rejected under 35 U.S.C. 102(e) as being anticipated by Roth et al. (US 2003/0167471 A1 hereinafter referred to as “Roth”).

Regarding Claim 42, Roth discloses a computer readable medium comprising executable instructions for executing an electronic programming guide (EPG) application (See ¶ [0021]-the STB 105 executes an application program stored at the STB 105. Emphasis added - EPGs and VOD guides are also sent through the network 115 to the STB 105- See ¶ [0021]), the computer-readable medium including instructions to (See

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¶ [0021]):

process episodic series information received from a television service provider over a television network used to carry television signals, the episodic series information listing a plurality of episodic series titles and a plurality of episode titles, each of the listed episode titles corresponding with an episode available on-demand for one of the episodic series titles (See ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer wants to view the selected episode, an appropriate action button on the displayed page can be selected. The STB 105 then passes the information to the VOD provider 130 that is responsible for delivering the content);

display a user controllable interface that allows a user to browse through and select one of the episodic series titles in a display screen (See Fig.6 and ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer wants to view the selected episode, an appropriate action button on the displayed page can be selected. *emphasis added*-¶ [0036] As the PVR records each episode, it could catalog the data related to the show, e.g., episode name and description, and present it in a format similar to that shown in FIG. 6.); and

automatically display in the display screen at least a plurality of episode titles (Fig.5, Element 220) for the user selected episodic series title (See ¶ [0034] -Responsive to sex in the city being selected), wherein the displayed episode titles are limited to the episode titles listed in the episodic series information (See ¶ [0034] - ¶ [0035]); and.

automatically display in the display screen textual and graphical indicia of

additional episodic series related to the episodic series title selected by the user (See Fig.6 and ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235, *emphasis added*-¶ [0036] As the PVR records each episode, it could catalog the data related to the show, e.g., episode name and description, and present it in a format similar to that shown in FIG. 6.);

Regarding Claims 43 and 52, Roth discloses the computer-readable medium including instructions to display the episodes titles without requiring the user to identify the episode titles in advance of being displayed (See ¶ [0034]-it can be explained as selecting the title “sex in the city” will automatically leads to page 230 that list the series of seasons episode without the user selecting the actual episode).

Regarding Claims 45 and 54, Roth discloses the computer-readable medium including instructions to request configuration of a VOD channel used to provide on-demand viewing of a selected one of the episode titles (See ¶ [0032]).

Regarding Claim 51, Roth disclose an apparatus (See Fig.1, Element 105) comprising:

a processor (See ¶ [0021], the act of execution of application by the STB 105 indicates that the STB includes a processor); and
a memory configured to store computer readable instructions that, when executed by the processor, cause the processor to perform (See ¶ [0021],the STB 105executes an application program stored at the STB 105) a method comprising:

processing episodic series information received from a television service provider

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over a television network used to carry television signals (See ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer wants to view the selected episode, an appropriate action button on the displayed page can be selected. The STB 105 then passes the information to the VOD provider 130 that is responsible for delivering the content), the episodic series information listing a plurality of episodic series titles and a plurality of episode titles, each of the listed episode titles corresponding with an episode available on-demand for one of the episodic series titles (See ¶ [0034]-Responsive to Sex in the City being selected, the consumer, for example, can be presented with a 230 that lists the series' seasons. When a particular season is selected, the episodes for that season can be displayed. In FIG. 6, for example, episodes 1-5 are listed for season 2.....);

displaying a user controllable interface that allows a user to browse through and select one of the episodic series titles in a display screen (See Fig.6 and ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer wants to view the selected episode, an appropriate action button on the displayed page can be selected. Emphasis added.-¶ [0036] As the PVR records each episode, it could catalog the data related to the show, e.g., episode name and description, and present it in a format similar to that shown in FIG. 6.); and

automatically display in the display screen at least a plurality of episode titles (Fig.5, Element 220) for the user selected episodic series title (See ¶ [0034] -Responsive to sex in the city being selected), wherein the displayed episode titles are limited to the

episode titles listed in the episodic series information (See ¶ [0034] - ¶ [0035]); and.

automatically display in the display screen textual and graphical indicia of additional episodic series related to the episodic series title selected by the user (See Fig.6 and ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235, emphasis added-¶ [0036] As the PVR records each episode, it could catalog the data related to the show, e.g., episode name and description, and present it in a format similar to that shown in FIG. 6.);

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth et al. (US 2003/0167471 A1, hereinafter referred to as “Roth”) in view of Kim et al. (US 2004/0239809 A1, hereinafter referred to as “Kim”).

Regarding Claim 1, Ross discloses a method for electronically displaying an on-demand listings guide, the method comprising (See Abstract):

streaming a user-selected on-demand episode over a video on demand (VOD) channel onto a substantially large portion of a display screen (See ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer

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wants to view the selected episode, an appropriate action button on the displayed page can be selected. The STB 105 then passes the information to the VOD provider 130 that is responsible for delivering the content);

displaying an episodic series title (See Fig.5 and ¶ [0033]- it can be explained as window 220 shows “sex in the city” in VOD product windows 225 -emphasis added sorting criteria by titles as seen on Fig.3, Element 195) and graphical indicia of the episodic series for the user-selected on-demand episode in a first user controllable window that overlays a substantially small portion of the display screen such that the streamed on-demand episode is still visible (See ¶ [0033]- VOD product windows 225 can display single images or cycle through several images related to the corresponding series. When the consumer selects one of the series, such as Sex in the City, the STB 105 can display a page associated with that show, as shown in FIG. 6);

additional episodic series related to the episodic series displayed in the first window such that the streamed on-demand episode is still visible (See ¶ [0034]- Responsive to Sex in the City being selected, the consumer, for example, can be presented with a page 230 that lists the series' seasons. When a particular season is selected, the episodes for that season can be displayed. In FIG. 6, for example, episodes 1-5 are listed for season 2.....).

Ross fails to explicitly teach displaying additional windows in the substantially small portion of the display screen that include textual and graphical indicia.

However, in similar art Kim teaches displaying additional windows in the substantially small portion of the display screen (See Fig.3 and ¶ [0046], channels denoted as 31-1, 50-501, 52-1 and 61-1 are displayed in sub PIG (picture in guide) screens 314, 316,

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318, 312 and 314 respectively) that include textual and graphical indicia (See ¶ [0049], still pictures and texts information for other channels are being displayed thereby allowing a user to view visualized broadcast information).

Therefore it would have been obvious to one of ordinary skill in the art displaying additional windows in the substantially small portion of the display screen that include textual and graphical indicia taught by Kim to incorporate onto the display as shown in Ross, in order information and image corresponding to various episodes can be displayed in a separate windows.

10. Claims 3, 5-10, 12, 13-15, 16, 39, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth et al. (US 2003/0167471 A1, hereinafter referred to as “Roth”), in view of Kim et al. (US 2004/0239809 A1, hereinafter referred to as “Kim”) and further in view of Ellis (US 7,493,643 B2).

Regarding Claim 46, Roth discloses a method of electronically displaying an on-demand listings guide, the method comprising (See Abstract):

providing a user controllable interface that allows a user to browse through and select one of a plurality of available episodic series titles (See ¶ [0035] -When an episode is selected, information and/or images corresponding to that episode can be displayed on the same page 230 in, for example, a separate frame 235. If the consumer wants to view the selected episode, an appropriate action button on the displayed page can be selected. The STB 105 then passes the information to the VOD provider 130 that is responsible for delivering the content); and

displaying, in display windows, episode descriptions for a plurality of episodes available on-demand for the selected episodic series title, wherein the displayed episode descriptions each at least include a title (See ¶ [0034]-Responsive to Sex in the City being selected, the consumer, for example, can be presented with a page 230 that lists the series' seasons. When a particular season is selected, the episodes for that season can be displayed. In FIG. 6, for example, episodes 1-5 are listed for season 2..... *Emphasis added*-¶ [0036] As the PVR records each episode, it could catalog the data related to the show, e.g., episode name and description, and present it in a format similar to that shown in FIG. 6.).

additional episodic series related to the episodic description displayed in the display window. (See ¶ [0034]-Responsive to Sex in the City being selected, the consumer, for example, can be presented with a page 230 that lists the series' seasons. When a particular season is selected, the episodes for that season can be displayed. In FIG. 6, for example, episodes 1-5 are listed for season 2.....).

Ross fails to explicitly teach displaying additional windows in the substantially small portion of the user controllable interface that include textual and graphical indicia.

wherein the displayed episode descriptions each at least include synopsis for the corresponding episode.

However, in similar art Kim teaches displaying additional windows in the substantially small portion of the display screen (See Fig.3 and ¶ [0046], channels denoted as 31-1, 50-501, 52-1 and 61-1 are displayed in sub FIG (picture in guide) screens 314, 316, 318, 312 and 314 respectively) that include textual and graphical

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indicia (See ¶ [0049], still pictures and texts information for other channels are being displayed thereby allowing a user to view visualized broadcast information).

Therefore it would have been obvious to one of ordinary skill in the art displaying additional windows in the substantially small portion of the display screen that include textual and graphical indicia taught by Kim to incorporate onto the display as shown in Ross, in order information and image corresponding to various episodes can be displayed in a separate windows.

Roth in view Kim doesn't disclose wherein the displayed episode descriptions each at least include synopsis for the corresponding episode.

In analogous art, Ellis discloses wherein the displayed episode descriptions each at least include synopsis for the corresponding episode (See Col.8, Lines 16-45 -e.g. -plot summary).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for electronically displaying an on-demand listings guide of Roth in view of by including displaying descriptions each at least include synopsis for the corresponding episode, as taught by, Ellis in order to provide video information of each video data based on an image of a main scene the video data, so that the user can precisely retrieve the corresponding video data using the summary video information of the main scenes of the video data.

Regarding Claim 3, Roth in view of Kim discloses the method as discussed in the rejection of claim 46.

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Roth in view of Kim doesn't disclose wherein displaying the on-demand listings guide includes magnify one of the display windows.

In analogous art, Ellis discloses wherein displaying the on-demand listings guide includes magnify one of the display windows (See Col.8, Lines 10-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method for electronically displaying an on-demand listings guide of Roth in view of Kim by including displaying the on-demand listings guide includes magnify one of the display windows, as taught by, Ellis in order to enlarge the smaller window to a larger size so that user is able to watch the selected VOD program fully on the television screen.

Regarding Claim 5, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 3. Ellis further discloses displaying a number of actuatable buttons in one of the display windows (See Col.3, Line 57 and Col.10, Lines 1-5), at least one of the buttons being a PREVIEW button to preview a selected episode (See Col.9, Lines 65-67 –Col.1-7).

Regarding Claim 6, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 5. Ellis further discloses wherein previewing the episode includes displaying the preview in one of the display windows (See Fig.6B, Element 71).

Regarding Claim 7, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 5. Roth further discloses wherein displaying

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the actuatable buttons includes at least displaying a GO TO SHOW button to order the selected episode (See ¶ [0035]).

Regarding Claim 8, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 5. Ellis further discloses wherein displaying the actuatable buttons includes displaying an ADULT LOCK button to prevent ordering of the selected episode (See Fig.8, Element 84).

Regarding Claim 9, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 5. Roth further discloses wherein displaying the actuatable buttons includes displaying a RATE IT button to rate the selected episode (See ¶ [0024]).

Regarding Claim 10, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 46. Ellis further discloses comprising ordering a user-selected episode for viewing and further displaying a control panel during viewing of the selected episode, the control panel having actuatable buttons for executing operations relating to the selected episode (Fig.1C and Col.4, Lines 3-10).

Regarding Claim 12, Roth in view in view of Kim and further of Ellis discloses the method as discussed in the rejection of claim 10. Roth further discloses wherein displaying the control panel includes displaying a button to record the selected episode (See ¶ [0036]).

Regarding Claim 13, Roth in view of in view of Kim and further Ellis discloses

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the method as discussed in the rejection of claim 46. Roth further discloses providing navigation capability through the listings guide which includes scrolling the episode descriptions information into a fixed window to select the corresponding episode for on-demand viewing (See ¶ [0032] and ¶ [0035]).

Regarding Claim 14, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 13. Roth further discloses wherein the scrolling includes scrolling in a first direction to change the displayed episodic series and scrolling in a second direction to change a selected episode (See ¶ [0032] and ¶ [0035]).

Regarding Claim 15, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 13. Roth further discloses wherein the episode descriptions are scrolled into the window without any re-loading or refreshing (See ¶ [0032]).

Regarding Claim 16, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 46. Roth further discloses wherein displaying the episode descriptions includes displaying the episode title adjoint to other episode information for ease of association (See ¶ [0034]).

Regarding Claim 39, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 46. Roth further discloses further comprising streaming a selected one of the episodes over a VOD channel for on-demand viewing from a cable television VOD server (Fig.1, Element 130 and See ¶ [0020]).

Regarding Claim 47, Roth in view of Kim and further in view of Ellis discloses

the method as discussed in the rejection of claim 46. Roth further discloses further comprising limiting the displayed episode descriptions to episodes previously specified by a television service provider as being available for on-demand viewing (See ¶ [0034]).

11. Claims 44 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth et al. (US 2003/0167471 A1, hereinafter referred to as “Roth”), in view of Ellis (US 7,493,643 B2).

Regarding Claims 44 and 53, Roth further discloses the computer-readable medium further including instructions to display episode title (See Fig.5 and ¶ [0033]- it can be explained as window 220 shows “sex in the city” in VOD product windows 225 – emphasis added sorting criteria by titles as seen on Fig.3, Element 195).

In analogous art, Ellis discloses the computer-readable medium further including Instructions to display an episode synopsis (See Col.8, Lines 16-45 -e.g. -plot summary).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the computer-readable medium of Roth in view of Kim by including an episode synopsis, as taught by, Ellis in order to provide video information of each video data based on an image of a main scene the video data, so that the user can precisely retrieve the corresponding video data using the summary video information of the main scenes of the video data.

12. Claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Roth et al. (US 2003/0167471 A1, hereinafter referred to as “Roth”), in view of Kim et al. (US 2004/0239809 A1, hereinafter referred to as “Kim”) further in view of Ellis (US

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7,493,643 B2) and further view of Deweese et al. (Us 2005/0262542 A1, hereinafter referred to as “Deweese”).

Regarding Claim 11, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 10.

Roth in view of Ellis discloses doesn't disclose wherein displaying the control panel includes displaying a button to enter a chat related to the selected episode (See Fig .13 button to enter chat and ¶ [0033]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of electronically displaying an on-demand listings guide of Roth in view of Kim and further in view of Ellis by including chat related button on the display as taught by, Deweese in order chat option was made available to the user.

13. Claims 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roth et al. (US 2003/0167471 A1, hereinafter referred to as “Roth”), in view of Kim et al. (US 2004/0239809 A1, hereinafter referred to as “Kim”), further in view in view of Ellis (US 7,493,643 B2) and further view of Fukuda et al. (US 2004/0068740 A1, hereinafter referred to as “Fukuda”).

Regarding Claim 40, Roth in view of Ellis discloses the method as discussed in the rejection of claim 46. Ellis further discloses displaying a preview image for a highlighted one of the episode titles (See Col.9, Lines65-67 –Col.1-7).

Roth in view of Ellis doesn't the preview image providing at least one static image from at least one scene of the episode .

In analogous art, Fukuda discloses the preview image providing at least one static image from at least one scene of the episode (See ¶ [0097], FIG. 10 represents static image data for displaying a streaming broadcast program 905 on a slave screen 904 in FIG. 9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of electronically displaying an on-demand listings guide of Roth in view of Ellis by including a static image on the display of the preview window, as taught by, Fukuda in order to capture the highlight of on coming television program so that user is able to directly tune to the channel according to his/her own interest.

Regarding Claim 41, Roth in view of Kim and further in view of Ellis discloses the method as discussed in the rejection of claim 6.

Roth teaches displaying preview images for at least two of the displayed titles episode titles, each preview image providing at least one image from at least one scene of the corresponding episode (See Fig.6 and ¶ [0034]).

Roth fails to teach simultaneously displaying preview images.

Kim teaches simultaneously displaying preview images for at least two of the displayed titles (See Fig.3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of electronically displaying an on-demand listings guide of Roth by including simultaneously displaying preview images

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for at least two of the displayed titles, as taught by, Kim in order to allow visual indication of program content during viewer navigation.

Roth in view of Kim and further in view of Ellis fails to teach providing at least one static image from at least one scene of the corresponding episode (See Fig.4 and See Col.4, Lines 44-67).

In similar art, Fukuda teaches providing at least one static image from at least one scene (See ¶ [0097]-FIG. 10 represents static image data for displaying a streaming broadcast program 905 on a slave screen 904 in FIG. 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of electronically displaying an on-demand listings guide of Roth in view of Kim and further in vie of Ellis by including a static image on the display of the preview window, as taught by, Fukuda in order to capture the highlight of on coming television program so that user is able to directly tune to the channel according to his/her own interest.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAZAR TILAHUN whose telephone number is (571)270-5712. The examiner can normally be reached on Monday through Friday 9.00AM-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on (571)272-7331. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

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